

Serial No. 10/562,999
Customer No. 24498

PF030094

Remarks

Reconsideration of this application as amended is respectfully requested. Claims 1 and 2 have been amended. As a result, claims 1-4 are in this application and are presented for the Examiner's consideration in view of the following comments.

The Examiner has objected to the drawings because, according to the Examiner, Applicants have failed to label each element descriptively. Applicants respectfully decline to amend the drawings. Applicants submit that the drawings in fact do label each element, albeit with the use of numbers. These numbers are clearly supported in Applicants' specification. For example, a box is clearly labeled "1" in Fig. 1, and this label clearly corresponds to tuner 1 as stated in Applicants' specification on p. 3, ln. 13. Further, Applicants respectfully submit that the drawings are not complex and easily understandable to one skilled in the art when read in conjunction with Applicants' detailed description. Applicants respectfully request removal of the Examiner's objection to the drawings.

Claim 1 has been rejected under 35 U.S.C. §112, second paragraph. Applicants have amended claim 1. Applicants respectfully submit that amended claim 1 removes the basis for this rejection. For example, amended claim 1 now clearly requires "indicating by an error signal given by the error indicator of the demodulator the presence of an interference from a telephone base signal". Thus, amended claim 1 makes clear that the telephone base is the source of the interference.

Claim 2 has been rejected under 35 U.S.C. §101. Applicants have amended claim 2. Applicants respectfully submit that amended claim 2 removes the basis for this rejection. For example, the previously claimed "software program" has been deleted from claim 2.

Claims 1-4 have been rejected under 35 U.S.C. 103(a) as being unpatentable over JP Patent Application 2003-133974 for Takeuchi et al. (*Takeuchi*) in view of U.S. Patent No. 5,249,202 issued September 28, 1993 to Hillum et al. (*Hillum*). Applicants respectfully do not agree.

Applicants' claimed invention is directed to eliminating interference in a tuner and demodulator from a digital telephone set at a frequency equal to the frequency of

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the local oscillator of the tuner. For example, Applicants' method claim 1 requires indicating by an error signal the presence of the interference, shifting the value of the frequency of the local oscillator by one or more intervals until the error signal indicates the absence of the interference, and then restoring the signal by compensating it for any shifts of the local oscillator. (Also, e.g., see Applicants' specification, p. 4, lns. 29-34.)

In contrast, the combination of *Takeuchi* and *Hillum* does not yield Applicants' claimed invention. In particular, *Takeuchi* describes a cellular phone and pocket television mounted in the same case. However, the oscillation frequency from the 2nd local oscillator is set to a different frequency compared to the other frequency to avoiding jamming between the phone and the television. Thus, *Takeuchi* fails to disclose Applicants' claimed requirements of scanning of an error signal, which indicates the presence of interference; shifting of the frequency of one or more intervals until an error signal disappears; and restoring the signal by compensating it for any shifts of the local oscillator.

Nor are any of these deficiencies remedied by *Hillum*. *Hillum* describes changing a frequency of the local oscillator in order to improve a narrow band filter depending on an error rate. In particular, *Hillum* describes changing the frequency in fixed increments. Thus, *Hillum* addresses a filter problem and not an interference problem between a receiver and a telephone set. Thus, *Hillum* also fails to disclose Applicants' claimed requirements of scanning of an error signal, which indicates the presence of interference; shifting of the frequency of one or more intervals until an error signal disappears; and restoring the signal by compensating it for any shifts of the local oscillator. Finally, it should be noted that there is no need in *Hillum* to restore the signal by compensating the signal for any shifts of the local oscillator as claimed by Applicants.

In view of the above, the combination, the combination of *Takeuchi* and *Hillum* does not yield Applicants' claimed invention. As a result, Applicants respectfully submit that independent claims 1 and 2 are patentable over *Takeuchi* in view of *Hillum*. As such, dependent claims 3 and 4 are also in condition for allowance.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If,

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however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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